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REPLY UNDER 37 CFR 1.116 EXPEDITED PROCEDURE TECHNOLOGY CENTER 3700

BSTZ Docket No. 005618.P3665 ACS No. 3665

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Webler et al.

Application No. 10/712,553

Filed: November 12, 2003

For: VALVE APTATION ASSIST DEVICE

Examiner: Gherbi, Suzette Jaime J.

Art Unit 3738

Confirmation No. 9168

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the final Office Action mailed November 22, 2006, Applicants respectfully request consideration of the subject application in view of the following amendments and remarks.

01/16/2007 ZJUHAR1 00000036 022666 10712553

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400.00 DA

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (310) 207-3800

Intellectual Property Law 12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 FACSIMII.E: (310) 820-5988

(310) 820-5720

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			£	Date: 1/12/2007					
Facsimile No.: (571) 273-8300				Date					
From: William Thomas Bahbitt, Reg. No. 39,591									
Our Docket No.: <u>5618P3665</u>			N	umber of pages <u>14</u> including this sheet.					
Application No.: 10/712,553				Filing Date: 11/12/2003					
	•		ı	Docket Due Date(s): 1/22/2007 2/22/2007					
Er	Enclosed are the following documents:								
ſ		After Final (10 pgs)		Issue Fee Transmittal					
ŀ	☐ Appeal Brief	(pgs)		Notice of Appeal					
				Petition for:					
	(pgs) w/cover & abstract)			Request for Continued Examination (RCE)					
	☐ Assignment	& Cover Sheet (pgs)		Reply Brief (pgs)					
	_	f <u>Facsimile</u>		Request & Certification Under 35 USC 122(b)(2)(B)(i)					
	☐ Continued Prosecution Application (CPA)			Request to Rescind Previous Nonpublication Request					
		& POA (pgs)		Response to Notice of Missing Parts & Formalities Letter					
		sheets, figures		Response to Written Opinion (pgs)					
	☐ Extension of			Terminal Disclaimer					
	Fee Transmittal (in duplicate)			Transmittal of Publication Fee Due					
	D IDS & PTO/	\$B/08 (pgs)	X	Transmittal Letter					
	Other								
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1	vereby certify tha	t this correspondence is being transmitt	ed b	y facsimile on the date shown below to the United States					
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TRANSMITTAL FORM			Application No.	10/712,553					
		-	Filing Date	November 12, 2003					
(to be used for all correspondence after initial filing)			First Named Inventor	William E. Webler					
			Art Unit	3738					
			Examiner Nama	Gherbi, Suzette Jaime J.					
Total Number of Pages In This Submission 13			Attorney Docket Number	5618P3665					
ENCLOSURES (check all that apply)									
Fee Transmittal Form		Drawing(s)		After Allowance Communication to TC					
Fee Altached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences					
Amendment / Reply		Petition Petition to Convert a Provisional Application Power of Attorney, Revocation Change of Correspondence Address		Appeal Communication to TC (Appeal Neutre, Brief, Reply Brief)					
After Final Affidavits/declare	ation(s)			Proprietary Information					
Extension of Time Requ	uest			Status Letter					
Express Abandonment Request Information Disclosure Statement		Terminal Disclatmer Request for Refund		Other Enclosure(s) (please identify below):					
PTO/SB/08		CD, Numbe	er of CD(s)						
Certified Copy of Priori Document(s)	Ŋ	Landso	cape Table on CD						
Response to Missing Parts/ Incomplete Application Basic Filing Fee Declaration/POA Response to Missing Parts under 37 CFR' 1.52 or 1.53		Remarks							
	SIGNATURE	OF APPLICA	NT, ATTORNEY, OR AG	SENT					
Firm William Thomas Babbitt, Reg. No. 39,591									
Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP									
olgnature	Signature William / Saffrit								
Date //12/07									
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CEE TO A NO MITTAL	Complete if Known								
FEE TRANSMITTAL	Application Number	10/712,553							
for FY 2006	Filing Date	November 12, 2003							
Parent feas are subject to annual revision.	First Named Inventor	William E. Webler							
Applicant dalms small entity status. See 37 CFR 1.27.	Examiner Name	Gherbi, Suzeπe Jaime J.							
had ''	Art Unit	3738							
TOTAL AMOUNT OF PAYMENT (\$) 400,00	Attorney Docket No.	5618P3665							
METHOD OF PAYMENT (check all that apply)									
☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):									
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Charge fee(s) indicated below	Charge fee(s)	indicated below, except for the filing fee							
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under 37 CfR §§ 1.16, 1.17, 1.18 and 1.20.	-> Ex Creat miy or	cipayments							
FEE CALCULATION									
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1201 200 2201 100 independent claims in excess of 3 1203 350 2203 160 Multiple Depondent claim, if not paid									
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2. ADDITIONAL FEES									
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1052 50 2052 25 Surpharge - late provisional filing (so or cover sheet 2053 130 2053 130 Non-English specification	·	·							
1251 120 2251 60 Extension for reply within first month									
1752 450 2262 225 Extension for reply within second month 1253 1,020 2253 510 Extension for reply within third month		<u> </u>							
1254 1,590 2254 795 Extonsion for reply within fourth month									
1255 2,160 2255 1,080 Extension for reply within fifth month									
1402 500 2402 250 Filing a brief in support of an appeal : 1403 1,000 2403 200 Request for one heaving		<u> </u>							
1451 1,510 2461 1,510 Pelition to institute a public use proceeding									
1460 130 2460 130 Politions to the Commissioner 1807 90 1807 50 Processing fee under 37 CFR 1 17(q)	•								
1606 180 1808 180 Submission of Information Disklosuro Stmi	4001-11								
1809 790 1809 395 Flång a submission after final rujection (37 CFR § 1. 1810 760 2810 385 For each additional invention to be examined (37 CF									
Other toe (specify)									
SUBTOTAL (2)									
SUBMITTED BY		Complete (If applicable)							
Name (Pantrype) William Thomas Babbitt	Registration No. (Attorney/Agent) 39	,591 Telephone (310) 207-3800							
Signature William V Porblish		Date 1/12/07.							